

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

United States of America,

Plaintiff,

v.

Criminal Case No. 11-20606

D-1 Gregg Blaney,

Honorable Sean F. Cox

Defendant.

ORDER DENYING
DEFENDANT’S MOTION FOR EXTENSION OF REPORTING DATE

On April 19, 2013, this Court sentenced Defendant Gregg Blaney (“Blaney”) to be imprisoned for a total term of 37 months. The matter is currently before the Court on Blaney’s “Motion For Extension Of Reporting Date For Medical Purposes.” (Docket Entry Nos. 100 & 101). The Court finds that oral argument would not aid the decisional process. *See* Local Rule 7.1(f)(2), U.S. District Court, Eastern District of Michigan. The Court therefore orders that the motion will be decided without oral argument. For the reasons set forth below, the Court shall DENY Blaney’s motion.

On June 6, 2012, Blaney pleaded guilty to Count Two of the Superseding Indictment, which charged bank fraud in violation of 18 U.S.C. § 1344.

The July 13, 2012, Presentence Report reflects that Blaney was taking 800 milligrams of Motrin for back pain and that in *July of 2012* his treating physician advised him that it was likely that he would need surgical intervention *within the next few months*.

On April 19, 2013, this Court sentenced Blaney. This Court sentenced Blaney to be

imprisoned for a total term of 37 months. The Court also ordered that Blaney be on supervised release for a term of three years and imposed a fine and restitution. (*See* 4/30/13 Judgment, Docket Entry No. 96). The Court allowed Defendant to self-report to the Bureau of Prisons.

On April 30, 2013, Blaney filed a Notice of Appeal. (Docket Entry No. 94). Blaney also filed a “Motion For The Defendant Gregg Blaney To Be Released On Bond Pending Appeal” (Docket Entry No. 98), which this Court denied in an Opinion & Order issued on May 22, 2013.

On June 6, 2013, Blaney filed the instant Motion For Extension Of Reporting Date for Medical Purposes, wherein Blaney states that he has received notification from the United States Marshall that he is to report to FCI-Morgantown on June 11, 2013, by 12:00 p.m. Blaney’s motion asks the Court to delay his report date for six months, so that he can have surgery and/or physical therapy for a disc herniation.

The Court shall deny Blaney’s motion. Blaney has been aware of his medical condition, and his physician’s opinion that he may benefit from surgical intervention, since at least July of 2012. If Blaney wished to have surgery prior to reporting to prison, he had *nearly a full calendar year* during which he could have done so.

IT IS ORDERED that Blaney’s Motion for Extension of Reporting Date for Medical Purposes is DENIED. Blaney shall report as instructed by the United States Marshal.

IT IS SO ORDERED.

S/Sean F. Cox
Sean F. Cox
United States District Judge

Dated: June 7, 2013

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PROOF OF SERVICE

I hereby certify that a copy of the foregoing Order was served upon counsel of record on June 7, 2013, by electronic and/or ordinary mail.

S/Jennifer McCoy
Case Manager